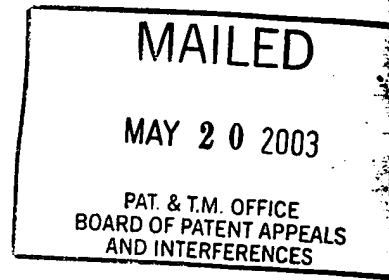


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES



Ex parte ROBERT E. FISCHHELL, DAVID R. FISCHHELL,
and DAVID C. MAJERCAK

Application No. 09/609,163

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on April 25, 2003. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

On September 30, 2002, appellants filed an Appeal Brief (Paper No. 17). A review of the file reveals that the required fee was not charged for the Appeal Brief. Before further review of this file, the Appeal Brief fee must be applied to the appellants' account.

Application No. 09/609,163

Accordingly, it is

ORDERED that this application be returned to the examiner for: 1) entry of the Appeal Brief fee; and 2) for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of this appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

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CRF/tdl/mh
RA03-0328